IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P.No. 21760 of 2001

Dated : 5.8.2005

Between:

Gurram Srinivas

.. Petitioner

and

The Assistant Engineer, Telecom,

BSNL, Mancherial, Adilabad district & another.

.. Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P.No. 21760 of 2001

ORDER:

Questioning the action of the respondents in demanding to pay Rs.6,880/- for the periods from 1.6.2001 to 30.9.2001 during which period, Telephone No.53626 was under disconnection, the present writ petition is filed.

The petitioner states that he was allotted a STD/PCO Telephone Booth by the respondents vide proceedings dated 15.11.1995 and he is running the said Telephone Booth in Mancherial Town by paying bills regularly. He further states that he did not pay the bills for the period from 15.4.2001 to 30.4.2001 and 30.4.2001 to 15.5.2001 amounting to Rs.1,304/- and Rs.2,074/- respectively and when he approached for payment of the said bill amount, the respondent authorities demanded to pay an amount of Rs.6,880/- @ Rs.1,720/- from 1.6.2001 to 30.9.2001. The grievance of the petitioner in this writ petition is that since the Telephone was under disconnection from 1.6.2001 to 30.9.2001, he is not liable to pay the amounts as demanded by the respondents.

Though the writ petition was admitted on 17.10.2001 and though the learned Standing Counsel for Central Government took notice on behalf of respondents, but no counter is filed till date nor is there any representation on their behalf when the matter is taken up for hearing today.

Heard the learned counsel for petitioner.

In the absence of any counter affidavit filed on behalf of respondents, this Court is left with no other alternative, but to believe the version of the petitioner as narrated in the affidavit as true and correct.

Accordingly, this writ petition is allowed. The respondents are directed to restore the Telephone connection to the petitioner forthwith on payment of arrears and the minimum charges for the disconnected period. No costs.

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N.V.RAMANA, J

Date: 5.8.2005

DA/NSR

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